

**RESOLUTION NO. 2011-4**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF KEY BISCAYNE, FLORIDA; APPROVING  
THE VILLAGE MANAGER'S REVISED ADMINISTRATIVE  
ORDER SETTING A NEW STORMWATER UTILITY FEE;  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 22, 1993, the Village of Key Biscayne adopted Ordinance No. 93-11 (Section 29 of the Village Code of Ordinances) and established a Stormwater Utility in the Village of Key Biscayne; and

**WHEREAS**, the Ordinance provided that Stormwater Utility Fees shall be set by Administrative Order of the Village Manager after approval by the Village Council; and

**WHEREAS**, on October 12, 1993, the Village of Key Biscayne adopted Resolution 93-46 which approved Administrative Order No. 1 and set the initial Stormwater Utility Fee at \$5.00 per ERU (Equivalent Residential Unit); and

**WHEREAS**, on December 7, 2010, the Village of Key Biscayne received a report entitled "Stormwater Rate Study" prepared and presented by Village consultants, Burton & Associates, and said Study recommended a necessary increase in the Stormwater Utility Fee as a result of revenue shortfalls in the Village's Enterprise Fund arising out of the length of time that has passed since the passage of the initial Stormwater Utility Fee; and

**WHEREAS**, Burton & Associates recommends an increase in said fee; and

**WHEREAS**, the Village of Key Biscayne believes said Stormwater Utility Fee is fair and reasonable and supported by the data contained in the Stormwater Rate Study, noted above; and

**WHEREAS,** Village Council wishes to approve the attached Revised Administrative Order setting a new Stormwater Utility Fee for the Village of Key Biscayne;

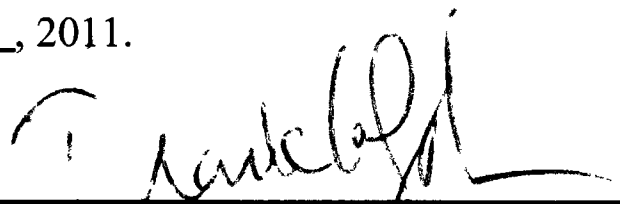
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

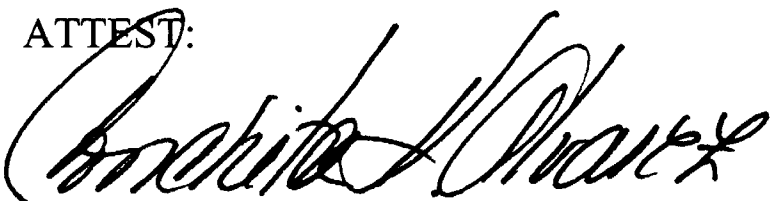
**Section 2. Revised Administrative Order Approved.** That the attached Revised Administrative Order setting the new Stormwater Utility Fee for the Village of Key Biscayne is hereby approved.

**Section 3. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 8th day of March, 2011.

  
MAYOR FRANKLIN H. CAPLAN

ATTEST:

  
CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
VILLAGE ATTORNEY



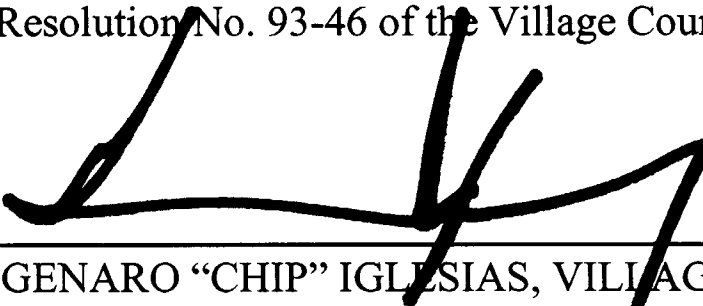
OFFICE OF THE VILLAGE MANAGER

VILLAGE OF KEY BISCAYNE

REVISED ADMINISTRATIVE ORDER NO. 1

Pursuant to the Stormwater Utility Ordinance No. 93-11 (Section 29 of the Village Code of Ordinances), adopted on June 22, 1993, the Stormwater Utility Fee for the Village of Key Biscayne is hereby set at \$8.90 per ERU (Equivalent Residential Unit) per month.

This revised Administrative Order is approved on March 8, 2011 and will be effective on same date and will supersede the Stormwater Utility Fee previously set by Administrative Order No. 1, approved on October 12, 1993, by Resolution No. 93-46 of the Village Council.



GENARO "CHIP" IGLESIAS, VILLAGE MANAGER

3/9/11

DATE